

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**HAROLD KELLY MURPHY,**

**Plaintiff,**

**v.**

**SOUTHERN ENERGY HOMES, INC.,**

**Defendants.**

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**Case Number: 3:06-cv-618-MEF**

**JOINT MOTION TO AMEND INTERNAL DEADLINES**

Defendant, Southern Energy Homes, Inc. ("Defendant"), and Plaintiff Harold Kelly Murphy ("Plaintiff") respectfully move this Court to modify its scheduling order and, as grounds, therefor, state as follows:

1. On August 1, 2007, this Court entered its Amended Scheduling Order. Pursuant to this Order, the Plaintiff's Rule 26 expert information deadline is September 1, 2007, and the Defendant's Rule 26 expert information deadline is November 1, 2007.
2. Plaintiff and Defendant jointly request that this Court enlarge the above-referenced deadlines such that the Plaintiff's Rule 26 expert information deadline is October 31, 2007, and the Defendant's Rule 26 expert information deadline is December 15, 2007.
3. Plaintiff and Defendant request that these deadlines be enlarged to allow the experts a full opportunity to conduct their investigations and produce reports. At this time, there are a large number of other cases involving similar issues to those being litigated in this matter. The experts involved in this matter are involved in consecutive cases, offering trial testimony and deposition testimony rendering them unavailable. Consequently, in order for

both Plaintiff and Defendant to produce Rule 26 expert information, the deadlines set forth in paragraph 1 should be enlarged to those set forth in paragraph 2.

4. Neither party requests any further changes to the Courts Amended Scheduling Order.

WHEREFORE, Plaintiff and Defendant respectfully request that this Court grant the instant motion and enlarge the requested internal deadlines.

Respectfully submitted,

RITCHEY & SIMPSON, PLLC

/s/ W. Scott Simpson

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Counsel for Southern Energy  
Homes, Inc.

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that a copy of the foregoing has been served upon the following by hand delivery, facsimile transmission and/or by placing a copy of same in the United States Mail, postage prepaid and delivered to the address below, and/or by the Clerk of Court using the electronic filing system, on this the 18th day of October 2007.

• **Charles Lance Gould**

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• **Wayne Scott Simpson**

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